

SKADDEN, ARPS, SLATE, MEAGHER & FLOM LLP

FOUR TIMES SQUARE
NEW YORK 10036-6522

TEL: (212) 735-3000
FAX: (212) 735-2000
www.skadden.com

DIRECT DIAL
(212) 735-7852
DIRECT FAX
(917) 777-7852
EMAIL ADDRESS
SCOTT.MUSOFF@SKADDEN.COM

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December 23, 2013

BY FAX AND NYSCEF

Hon. Paul G. Gardephe
United States District Judge
40 Foley Square Room 2204
New York, New York 10007

RE: Wells Fargo Bank, N.A. v. Wales LLC, et al., 13-cv-6781(PGG)

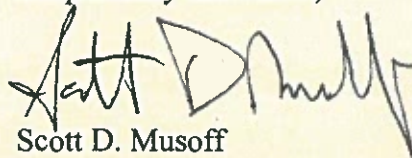
Dear Judge Gardephe:

We represent Battenkill Insurance Company, LLC ("Battenkill"), which seeks to intervene in the above-referenced interpleader action as a defendant/cross-claimant. Pursuant to Your Honor's direction at the December 5, 2013 conference, we write to inform the Court that interpleader defendant Wales LLC ("Wales") has refused to consent to Battenkill's intervention. Accordingly, Battenkill will make a formal motion to intervene pursuant to Federal Rule of Civil Procedure 24, and respectfully requests that the Court order the following briefing schedule, to which Wales has agreed:

- Battenkill's motion is due no later than January 10, 2014;
- Wales' opposition brief is due no later than January 24, 2014;
- Battenkill's reply brief is due no later than January 31, 2014.

We are available should the Court have any questions.

Respectfully submitted,


Scott D. Musoff

cc: all counsel of record (via ECF)